



I

USPTO
RECEIPTS & ACCOUNTING

2007 NOV 13 PM 6:18

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Ioav Zvi CABANTCHIK et al.

Serial No.: 09/868,083

Filed: November 19, 2001

**For: METHOD FOR MEASURING
NON-TRANSFERRIN BOUND IRON...**

Group Art Unit: 1641

Attorney
Docket: 25192
(Previously A34366
PCT USA)

Examiner: David J. VENCI

Mail Stop 16
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR REFUND UNDER 37 CFR 1.26

Sir:

During the course of prosecuting the above-identified application, Applicant filed a Request for Continued Examination (RCE) on December 28, 2005.

Applicant, through error and mistake, erred in calculating the fees required when filing an RCE, and authorized excess filing fee payments based on the total number of claims then pending in the application, as well as the \$395.00 RCE fee, even though no additional claims were introduced at the time of filing of the RCE's.

These authorized charges were then debited from Applicant's Deposit Account 501407. It is requested that these excess charges, made by mistake, be refunded to Applicants Deposit Account 501407.

The details of the errors are as follows:

Applicant authorized (see attachment) the RCE filing charge of \$ 395, as well as

\$ 50 for 2 additional claims over 20, \$ 100 for 1 additional independent claims over 3, and \$ 180 for 1 multiple dependent claim, even though the above claims had been previously paid for and no extra claims were introduced with the filing of the RCE. These charges were debited on December 29, 2005 from Applicants Deposit Account 501407, and are highlighted in the attached December 2005 Deposit Account Statement. The charges for the excess claims fees (Fee Codes 2201, 2202, and 2203) were not required and paid by mistake.

A refund of \$ 330 is deemed to be in order.

Applicant only became aware of the error in calculating RCE filing charges recently.

Applicant has not previously asked for a refund of these charges made in error.

Applicant has not been refunded the excess charges requested herein.

This request for refund is being made within two years of the charge against the Deposit Account.

This request for refund is clearly one that was paid by mistake, and in excess of that required and is contemplated by 37 CFR 1.26.

Favorable consideration of this Refund request is earnestly solicited.

Respectfully submitted,



Martin Moynihan,
Registration No. 40,338

Date: November 1, 2007



REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,
provides for continued examination of an utility or plant application
filed on or after June 8, 1995.
See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/868,083
Filing Date	November 19, 2001
Examiner Name	David J. Venci
First Named Inventor	Ioav Zvi CABANTCHIK
Group Art Unit	1641
Attorney Docket Number	25192

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.
NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14885 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. **Submission required under 37 C.F.R. § 1.114**
 - a. ☒ Previously submitted
 - i. ☒ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on **November 25, 2005**
(Any unentered amendment(s) referred to above will be entered).
 - ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
 - b. ☒ Enclosed
 - i. ☐ Amendment/Reply
 - ii. ☐ Affidavit(s)/Declaration(s)
 - iii. ☐ Information Disclosure Statement (IDS)
 - iv. ☒ Other **Three (3) Month Extension fee**
 - v. ☐ Other
2. **Miscellaneous**
 - a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for
a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
 - b. ☐ Other _____
3. **Fees** The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

			SMALL ENTITY RATE FEE		OTHER THAN A SMALL ENTITY RATE FEE	
Request for Continued Examination (RCE)			1	\$ 395		\$ 790
Multiple Dependent Claims			1 x \$ 180	\$ 180	x \$ 360	\$
Total Claims	22 - 20 =	2	2 x \$ 25	\$ 50	x \$ 50	\$
Independent Claims*	4 - 3 =	1	1 x \$ 100	\$ 100	x \$ 200	\$
			TOTAL	\$725	TOTAL	\$

☒ The Commissioner is hereby authorized to charge \$725.- filing fees to Deposit Account No. 50-1407. In the event additional fees are required, please charge these additional fees to Deposit Account No. 50-1407. In the event of overpayment, please credit Deposit Account No. 50-1407.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Martin D. Moynihan	Registration No. (Attorney/Agent)	40,338
Signature		Date	December 28, 2005


**United States
Patent and
Trademark Office**


Return To:
USPTO
Home
Page
Finance
Online
Shopping
Page

Deposit Account Statement

Requested Statement Month: December 2005
Deposit Account Number: 501407
Name: G E EHRLICH (1995) LTD.
Attention: A J CASTORINA
Address: 2001 JEFFERSON DAVIS HIGHWAY
City: ARLINGTON
State: VA
Zip: 22202
Country: UNITED STATES

DATE	SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
12/01	182	10376506	25401(27477)	2251	\$60.00	\$16,588.00
12/01	142	80628542	28879(30872)	8007	\$20.00	\$16,568.00
12/01	164	11008979	28313(31093)	8007	\$20.00	\$16,548.00
12/01	506	10536439	29599	2617	\$65.00	\$16,483.00
12/01	71	60740629	31058	2005	\$100.00	\$16,383.00
12/01	176	10963439	28385	2252	\$225.00	\$16,158.00
12/01	4	PAYMENT		9203	-\$50,000.00	\$66,158.00
12/01	192	11224148	30464	8021	\$40.00	\$66,118.00
12/01	192	11180716	29443	1051	\$130.00	\$65,988.00
12/01	193	11180716	29443	1252	\$450.00	\$65,538.00
12/01	199	10522766	29287	8021	\$40.00	\$65,498.00
12/01	200	10522766	29287	8021	\$40.00	\$65,458.00
12/01	201	10522766	29287	8021	\$40.00	\$65,418.00
12/01	202	60711666	30552	8021	\$40.00	\$65,378.00
12/01	203	10516318	28867	8021	\$40.00	\$65,338.00
12/01	204	60711667	29094	8021	\$40.00	\$65,298.00
12/01	194	11229678	30454	1051	\$130.00	\$65,168.00
12/01	205	60711272	29657	8021	\$40.00	\$65,128.00
12/01	206	60699393	30296	8021	\$40.00	\$65,088.00
12/01	207	60701979	30344	8021	\$40.00	\$65,048.00
12/01	208	60710679	30530	8021	\$40.00	\$65,008.00
12/01	209	60702289	30390	8021	\$40.00	\$64,968.00
12/01	210	60710678	30545	8021	\$40.00	\$64,928.00
12/01	211	60719178	29803	8021	\$40.00	\$64,888.00
12/01	212	10547771	30132	8021	\$40.00	\$64,848.00
12/01	213	10659747	26682(28537)	8021	\$40.00	\$64,808.00
12/01	214	60715184	30489	8021	\$40.00	\$64,768.00
12/01	215	60709794	30540	8021	\$40.00	\$64,728.00
12/01	199	11246279	30720	1051	\$130.00	\$64,598.00
12/01	216	10659747	26682(28537)	8021	\$40.00	\$64,558.00

12/22 215	11312385	30964	2202	\$425.00	\$53,152.55
12/22 212	11312385	30964	2111	\$250.00	\$52,902.55
12/22 95	80750837	31072	8021	\$40.00	\$52,862.55
12/22 13	6427466		2551	\$450.00	\$52,412.55
12/23 26	10522766	29287	2632	-\$250.00	\$52,662.55
12/23 27	10522766	29287	2642	\$200.00	\$52,462.55
12/23 72	6419361		2551	\$450.00	\$52,012.55
12/23 73	5772612		2552	\$1,150.00	\$50,862.55
12/23 324	10561220	30698	2631	\$150.00	\$50,712.55
12/23 325	10561220	30698	2632	\$250.00	\$50,462.55
12/23 327	10561220	30698	2681	\$125.00	\$50,337.55
12/23 329	10561220	30698	2614	\$400.00	\$49,937.55
12/23 331	10561220	30698	1484	\$130.00	\$49,807.55
12/23 330	10561220	30698	2616	\$180.00	\$49,627.55
12/23 328	10561220	30698	2615	\$800.00	\$48,827.55
12/23 326	10561220	30698	2633	\$100.00	\$48,727.55
12/23 274	60700752	29952 (31057)	8007	\$20.00	\$48,707.55
12/23 275	60652773	29260(31253)	8007	\$20.00	\$48,687.55
12/27 77	10233409	2494626507	2252	\$225.00	\$48,462.55
12/27 78	10461414	10461414	2251	\$60.00	\$48,402.55
12/27 236	29243001	30920	8021	\$40.00	\$48,362.55
12/27 210	5784162		2552	\$1,150.00	\$47,212.55
12/27 172	60647774	29220(31276)	8007	\$20.00	\$47,192.55
12/27 173	60642974	26741(31282)	8007	\$20.00	\$47,172.55
12/27 175	11109705	29662(30918)	8007	\$20.00	\$47,152.55
12/28 6	60688692	29266(30968)	8007	\$20.00	\$47,132.55
12/28 7	60654465	29265(30968)	8007	\$20.00	\$47,112.55
12/28 8	60671073	29296(31277)	8007	\$20.00	\$47,092.55
12/28 9	60643359	29188(31172)	8007	\$20.00	\$47,072.55
12/28 10	60646648	29295(31277)	8007	\$20.00	\$47,052.55
12/28 113	10283343	25195	1504	\$300.00	\$46,752.55
12/28 114	10283343	25195	2501	\$700.00	\$46,052.55
12/28 56	11315230	31268	1011	\$300.00	\$45,752.55
12/28 57	11315230	31268	1111	\$500.00	\$45,252.55
12/28 59	11315230	31268	1201	\$400.00	\$44,852.55
12/28 58	11315230	31268	1311	\$200.00	\$44,652.55
12/29 162	60671476	29245	1807	\$50.00	\$44,602.55
12/29 163	11240556	30119	2051	\$65.00	\$44,537.55
12/29 255	11262760	30313	2051	\$65.00	\$44,472.55
12/29 167	10383748	25494	2251	\$60.00	\$44,412.55
12/29 5	60753411	31283	2005	\$100.00	\$44,312.55
12/29 32	10311876	25239	2253	\$510.00	\$43,802.55
12/29 33	10311876	25239	2401	\$250.00	\$43,552.55
12/29 94	10561839	30024	2631	\$150.00	\$43,402.55
12/29 98	10561839	30024	2614	\$700.00	\$42,702.55
12/29 97	10561839	30024	2615	\$600.00	\$42,102.55
12/29 95	10561839	30024	2633	\$100.00	\$42,002.55
12/29 96	10561839	30024	2632	\$250.00	\$41,752.55
12/29 95	09868083	25192	2801	\$395.00	\$41,357.55
12/29 98	09868083	25192	2201	\$100.00	\$41,257.55
12/29 99	09868083	25192	2253	\$285.00	\$40,972.55

12/29 97	09868083	25192	2202	\$50.00	\$40,922.55
12/29 96	09868083	25192	2203	\$180.00	\$40,742.55
12/29 412	10562001	30896	1631	\$300.00	\$40,442.55
12/29 414	10562001	30896	1642	\$400.00	\$40,042.55
12/29 413	10562001	30896	1633	\$200.00	\$39,842.55
12/29 438	10562009	31221	2631	\$150.00	\$39,692.55
12/29 439	10562009	31221	2632	\$250.00	\$39,442.55
12/29 440	10562009	31221	2633	\$100.00	\$39,342.55
12/29 441	10562009	31221	8021	\$40.00	\$39,302.55
12/29 127	60645001	29268(31278)	8007	\$20.00	\$39,282.55
12/30 3	10542591	30070	8021	\$40.00	\$39,242.55
12/30 214	10239992	25130	1504	\$300.00	\$38,942.55
12/30 215	10239992	25130	2501	\$700.00	\$38,242.55
12/30 101	10535145	29837	2617	\$65.00	\$38,177.55
12/30 106	11318455	30491	1011	\$300.00	\$37,877.55
12/30 108	11318455	30491	1311	\$200.00	\$37,677.55
12/30 109	11318455	30491	1202	\$300.00	\$37,377.55
12/30 107	11318455	30491	1111	\$500.00	\$36,877.55
12/30 19	60754200	31272	2005	\$100.00	\$36,777.55
12/30 21	60754198	31269	2005	\$100.00	\$36,677.55
12/30 28	60754191	30584	2005	\$100.00	\$36,577.55
12/30 186	60671476	29245	8021	\$40.00	\$36,537.55
12/30 187	60718720	29513	8021	\$40.00	\$36,497.55
12/30 188	11240556	30119	8021	\$40.00	\$36,457.55
12/30 190	60691848	29261	8021	\$40.00	\$36,417.55
12/30 191	60670300	29127	8021	\$40.00	\$36,377.55
12/30 192	60737748	27284	8021	\$40.00	\$36,337.55
12/30 193	60726618	30810	8021	\$40.00	\$36,297.55
12/30 194	60737747	30204	8021	\$40.00	\$36,257.55
12/30 195	60737778	30960	8021	\$40.00	\$36,217.55
12/30 196	60643005	29202(30620)	8021	\$40.00	\$36,177.55
12/30 197	60638416	28989(29255)	8021	\$40.00	\$36,137.55
12/30 198	29243000	30928	8021	\$40.00	\$36,097.55
12/30 199	29242999	30929	8021	\$40.00	\$36,057.55
12/30 200	29243008	30933	8021	\$40.00	\$36,017.55
12/30 201	29243007	30934	8021	\$40.00	\$35,977.55
12/30 202	29243006	30945	8021	\$40.00	\$35,937.55
12/30 203	29243005	30946	8021	\$40.00	\$35,897.55
12/30 232	11262760	30313	8021	\$40.00	\$35,857.55
12/30 39	60754181	28875	2005	\$100.00	\$35,757.55

START	SUM OF	SUM OF	END
BALANCE	CHARGES	REPLENISH	BALANCE
\$16,648.00	\$64,487.00	\$83,596.55	\$35,757.55

[Need Help?](#) | [USPTO Home Page](#) | [Finance Online Shopping Page](#)



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Approved for use through 10/31/2002. OMB 0851-0001
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

PTO/SB/30 (08-00)

REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL Subsection (c) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995. See The American Inventors Protection Act of 1999 (AIPA).	Application Number	09/868,083
	Filing Date	November 19, 2001
	Examiner Name	David J. Venci
	First Named Inventor	Isaac Zvi CABANTCHIK
	Group Art Unit	1641
	Attorney Docket Number	25192

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.
NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (i) (PTO/SB/28) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 80092 (Aug. 18, 2000); Interim Rule, 65 Fed. Reg. 14885 (Mar. 20, 2000), 1235 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. **Submission required under 37 C.F.R. § 1.114**

a. ☒ Previously submitted

i. ☒ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on **November 25, 2005**

(Any unentered amendment(s) referred to above will be entered).

ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____

b. ☒ Enclosed

i. ☐ Amendment/Reply

ii. ☐ Affidavit(s)/Declaration(s)

iii. ☐ Information Disclosure Statement (IDS)

iv. ☒ Other **Three (3) Month Extension fee**

v. ☐ Other

2. **Miscellaneous**

a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for

a period of _____ months. (Period of suspension shall not exceed 3 months.) 1842940883 CAB001.17(08880000 501407 09868083

b. ☐ Other _____

3. **Fees** The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114.

01 FC:2801 395.00 DA
02 FC:2202 180.00 DA
03 FC:2202 50.00 DA
04 FC:2202 100.00 DA

			SMALL ENTITY		OTHER THAN A SMALL ENTITY	
			RATE	FEE	RATE	FEE
Request for Continued Examination (RCE)			1	\$ 395		\$ 790
Multiple Dependent Claims			1 x \$ 180	\$ 180	x \$ 360	\$
Total Claims	22 - 20 =	2	2 x \$ 25	\$ 50	x \$ 50	\$
Independent Claims*	4 - 3 =	1	1 x \$ 100	\$ 100	x \$ 200	\$
			TOTAL	\$725	TOTAL	\$

☒ The Commissioner is hereby authorized to charge \$725.- filing fees to Deposit Account No. 50-1407. In the event additional fees are required, please charge these additional fees to Deposit Account No. 50-1407. In the event of overpayment, please credit Deposit Account No. 50-1407.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Martin D. Moynihan	Registration No. (Attorney/Agent)	40,338
Signature	<i>Martin D. Moynihan</i>	Date	December 28, 2005

Adjustment Date: 12/05/2007 SDIRETA1
12/29/2005 JADD01 00000060 501407 09868083
02 FC:2203 180.00 CR
03 FC:2202 50.00 CR
04 FC:2201 100.00 CR